

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES MACON,

Plaintiff,

v.

K. SMOKLE, *et al.*,

Defendants.

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: CIVIL ACTION NO. 4:21-CV-1247  
: (JUDGE MARIANI)  
: (Magistrate Judge Arbuckle)  
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FILED  
SCRANTON

MAR 08 2022

Per  DEPUTY CLERK

ORDER

AND NOW, THIS  DAY OF MARCH 2022, upon review of Magistrate

Judge William I. Arbuckle's Report and Recommendation ("R&R") (Doc. 17) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

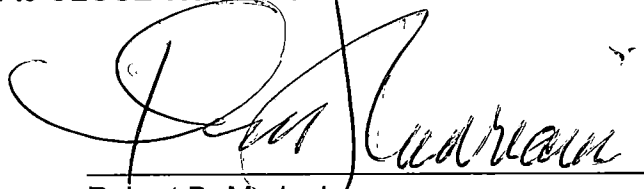
1. The R&R (Doc. 17) is **ADOPTED** for the reasons set forth therein.
2. This action is **DISMISSED WITH PREJUDICE** based on screening conducted pursuant to 28 U.S.C. § 1915(e) and Plaintiff's failure to file an amended complaint (see Doc. 17 at 4-5 & nn. 1, 2 (citing Docs. 7, 13-16)).<sup>1</sup>

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<sup>1</sup> Orders affording Plaintiff an opportunity to file an amended complaint were returned as undeliverable because Plaintiff was no longer in custody. (See Docs. 13-16.) Though Plaintiff was advised of his affirmative obligation to keep the Court informed of his current address in the July 16, 2021, pro se letter sent to him at his place of incarceration (Doc. 7 at 1), Plaintiff has not provided a current address. In the Instructions which were sent with the letter, Plaintiff was again advised of his obligation and the ramifications of failure to comply:

**Change-of-address Notice.** Local Rule of Court 83.18 requires pro se plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your

3. The Clerk of Court is directed to **CLOSE THIS CASE**.



Robert D. Mariani  
United States District Judge

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failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.

(Doc. 701 at 3-4.)